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THE TEXAS GAZETTE.

"DIOS Y LIBERTAD."

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VOL. I. AUSTIN, SATURDAY, JAN. 23, 1830. NO. 7.

EDITED BY
ROBERT M. WILLIAMSON.

From the Philadelphia Album.

PRIZE ESSAY,

On the Importance of Mental Resources.—"Stand out of my sunshine," said Diogenes to Alexander, when the emperor asked what service he could do him. And, haughty as the philosopher's reply may sound, it implies only the honest independence which every highly gifted, and well balanced mind may feel towards those who merely possess the accidental distinction of rank and fortune. He must be reduced to pitiful extremities, who needs the condescending smile of the proud, or the heartless flattery of the vain, either to rouse him to exertion, or to warm him into happiness. The power of self excitement, is the most desirable of all attainments; and it is the most rare. To love knowledge only for its usefulness, and thus convert it into a source of happiness—to form and strengthen virtuous dispositions, only for the sake of the deep tranquillity they bring—is a task performed by few. Yet experience constantly proves to us that there are no other means of attaining permanent happiness. He to whom nature is an open volume, where truths of the loftiest import are plainly written, may smile at the thwarting influence of external circumstances; and he who can find, in the fall of an apple, or the hues of the wild-flower, abundant food for reason and for fancy, may well say the officious world, "stand out of my sunshine."

I do not mean that selfishness is bliss, even where enjoyment is of the most dignified kind. An eminence, which placed us above the delightful sympathies of social life, would indeed be unenviable; but surely that which places us above the ever-changing tide of circumstance and opinion is very desirable. The study of nature, more than any other study, tends to produce this internal sunshine, across which the vexatious cares of the world are, at the most, but flitting shadows. Politics, love of gain, ambition of renown,—every thing, in short, which can be acted upon by the passions of mankind, have a corrosive influence on the soul. But nature pursues her course with the same majestic step, the same serene smile, whether a merchant is wrecked, or an empire overthrown. The evil feelings of our nature cannot defile her holy temple. They may indeed close its portals against the restless and the bad; but the radiant goddess is ever within the altar, ready to smile upon those who are pure enough to love her quiet beauty. Ambition may play a mighty game—it may crack the sinews of a whole nation, and make the cringing multitude automaton dancers to its own stormy music.—But sun, and moon, and stars, go forth on their sublime mission, independent of its powers; and its utmost efforts cannot alter the laws which produce the transient glory of the rainbow. Avarice may freeze the genial currents of the soul; but it cannot diminish the pomp of summer, or restrain the prodigality of autumn. Fame may pursue glittering phantoms, until the diseased heart loses all relish for substantial good; but with all its eager aspirations, it can neither change or share the immortality of the minutest atom.

Here then is a sequestered spot where the weary may rest, safe from the whirlwind of its own passions. Here is a mirror made to reflect heaven alone, and which the Proteus forms of human pollution can never darken.

He who has steered his bark, ever so skilfully, through the sea of politics, rarely, if ever, finds a quiet haven. His vexations and his triumphs have all been of an exciting character. Both depended on outward circumstances, over which he had very limited power; and when the precarious breeze had subsided, he finds, too late, that he has lived on the breath of others, and that happiness has no empire within him. And what is the experience of him who has existed only for wealth,—[illegible] moored his richly freighted vessel into the spacious harbour of successful commerce? Does he find that happiness, like modern love, can be bought with gold? You see him hurrying about, purchasing it in small quantities, wherever taste and talent offer it for sale; but the article is too etherial to be baled for future use, and it soon evaporates into the vacuum of his intellectual warehouse. He who has lived for fancy only, will learn that happiness and renown are scarcely speaking acquaintance. Even if he grasps the rainbow he has so madly pursued, he will find its tints fading with every passing cloud, and flickering at every changing ray. Nor is he, who has wasted the energies of his youth in disentangling the knotty skein of controversy, more likely to find the evening of his days cloudless and serene. The demon of dogmatism, or of doubt, will grapple him closely, and convert his early glow of feeling, and elasticity of thought, into rancourous prejudice, or shattered faith. But the deep stream of philosophical knowledge is untinged by one drop of bitterness. Its gurgling waters constantly speak of the heaven from which they flow, and the quiet sound lulls the listening sound into peace.

If age, like infancy, must have its playthings, what can be so dignified as battery and barometer, telescope and prism? Electric power may be increased with less danger than the power of man; it is safer to weigh the air than a neighbor's motives; it is less agitating to fix the eye upon volcanoes in the moon, than upon tempests in the political horison;—it is far easier to separate and unite the colours in a ray of light, than it is to blend the many coloured hues of truth, turned out of their course by the three cornered glass of controversy.

He who drinks freely at the fountain of natural science, will reflect all around him the light which beams on his own tranquil spirit. If the sympathy of heart and intellect is within his reach, he will enjoy it more highly than any other man; but if he is alone in the world, no man can, with so much sincerity, say to the incitements of fame, the glitter of wealth, and the allurements of pleasure, "stand ye out of my sunshine."

THE CONJUGATING DUTCHMAN.—We know not where the following story came from, but as it gives a droll picture of a methodical and persevering Dutchman, it may not prove unentertaining. "Two English gentlemen once stepped into a coffee house in Paris, where they observed a tall, odd-looking man, who appeared not to be a native, sitting at one of the tables, and looking around with the most stone-like gravity of countenance, upon every object. Soon after the two Englishmen entered, one of them told the other that a celebrated dwarf had arrived at Paris. At this the grave looking personage above mentioned, opened his mouth and spake: 'I arrive' said he 'thou arrivest, he arrives, we arrive, you arrive, they arrive.' The Englishman whose remarks seemed to have suggested this mysterious speech, stepped up to the stranger, and asked, Did you speak to me, sir? 'I speak,' replied the stranger, 'thou speakest, he speaks, we speak, you speak, they speak.' 'How is this?' [illegible] Englishman, 'Do you mean to insult me?' [illegible] replied, 'I insult, thou insultest, [illegible] insults, [illegible] insult, you insult, they insult.' 'This [illegible] me,' said the Englishman; 'I will have satisfaction—If you have any spirit with your rudeness, come along [illegible]. To this defiance the imperturbable stranger replied, 'I come, thou comest, he comes, we [illegible] come, they come,' and thereupon he arose with great coolness and followed his challenger. In those days, when every gentleman wore a sword, duels were speedily despatched.—They went into a neighboring alley, and the Englishmen unsheathed his weapon, said to his antagonist, 'Now sir, you must fight me'—'I fight,' replied the other, drawing his sword, 'thou fightest, he fights, we fight,'—here he made a thrust—'you fight, they fight,' and here he disarmed his adversary. 'Well,' said the Englishman, 'you have the best of it, and I hope you are satisfied.' 'I am satisfied,' said the original, sheathing his sword, 'thou art satisfied, he is satisfied, we are satisfied, you are satisfied.'—'I am glad every body is satisfied,' said the Englishmen, 'but pray leave off quizzing me in this strange manner, and tell me what is your object, if you have any in doing so.' The grave gentleman now for the first time, became intelligible.—'I am a Dutchman,' said he 'and am learning your language. I find it very difficult to remember the peculiarities of the verbs, and my tutor has advised me, in order to fix them in my mind, to conjugate every English verb that I hear spoken. This I have made it a rule to do; and I don't like to have my plans broken in upon while they are in operation, or I would have told you of this before.' The Englishman laughed heartily at this explanation, and invited the conjugating Dutchman to dine with them.—'I will dine,' replied he, 'thou wilt dine, he will dine, we will dine, you will dine, they will dine, we will all dine together." This they accordingly did, and it was difficult to say whether the Dutchman ate or conjugated with the most perseverance.

NATURE.—The Empress Josephine used to send from Paris bales of toys, playthings, [illegible] her grand children; among others [illegible] the little son of Louis, used to receive [illegible] at the Hague. One new year's day, the [illegible] received an immense case full of the most [illegible] toys that the invention of [illegible] could devise. Young Napoleon was [illegible] ing out of a window into the park, and appeared to receive with indifference all the presents spread before him; he still persevered in gazing [illegible] avenue that led [illegible] pointed [illegible] asked him if he was [illegible] for having taken such pains to procure him all the pretty things before him? 'Oh! yes, mama, I am [illegible] grateful;' 'but do not all these pretty [illegible] amuse you?' 'yes, mama, but—' 'but [illegible] very much—something else.' '[illegible] promise it you, my boy.'—'Oh [illegible] not I am sure.' 'Is it money [illegible] gave me that this morning, [illegible] ted; it is [illegible]. 'Come, [illegible] I love [illegible] you may [illegible] my dear [illegible] what is it? [illegible] want to walk in that pretty mud, [illegible] window; that would amuse me more than any [illegible]

NOTICE.—The Subscriber respectfully informs his friends, and the public, that he has lately removed his *SCHOOL*, for its better accommodation, to the Settlement of McNeil, and Westall, in Gulf Prairie. A commodious House, has been erected, very eligibly situated being surrounded by beautiful shades, and but ten miles distant from the Gulf shore, with no timber between to prevent a free circulation of the Sea Breeze, and no stagnant waters near, to render it deleterious to health. Scholars wishing to attend from a distance, can be accommodated with board and washing, in a number of respectable families, from six to ten dollars per month. Terms of Tuition.—Reading and Writing, $[illegible] per month; English Grammar, Geography, Rhetoric, History, Composition, Aritmatic, Natural Philosophy, $2,50 cents, per month; Moral Philosophy, Languages, and Mathematics, $4, per month. A [illegible] attention to the interests of the School is faithfully promised, and public patronage humbly solicited by

THOMAS J. PILG[illegible]

Jan. 15, 1830.—tf.

TO RENT, for the Term of one year, [illegible] *PLANTATION* [illegible] late Alexander [illegible] Creek. [illegible] Williamson, Esq. at Austin, [illegible] subscriber on the San Jacinto.

Jan. 15 [illegible] [illegible] JACKSON.

We this day, give some extracts from the Message of Andrew Jackson, President of the United States of America, to both houses of Congress; and we cannot *forbear calling the attention of every Mexican citizen, native or adopted*, to the kind expression of sentiment, by the President, in relation to the Republics of the South. With him, we are convinced, that the recent invasion of our own country, (Mexico,) and the effects thereby produced, "must have a controlling influence upon the great question of South American emancipation."

MESSAGE,

OF THE PRESIDENT OF THE U. STATES OF NORTH AMERICA.

"*Fellow Citizens of the Senate, and House of Representatives;*

It affords me pleasure to tender my friendly greetings to you, on the occasion of your assembling at [illegible] Seat of Government, to enter upon the important duties to which you have been called by the voice of your country[illegible]. The task devolves on me under [illegible] the Constitution, to present to [illegible] the [illegible] legislature of twenty-four sovereign States, and [illegible] five million of happy people, a [illegible] of our affairs [illegible] to propose such measures as, in the discharge of my official functions, have suggested [illegible] necessary to promote the objects of our [illegible].

[illegible] with you for the first time, it is [illegible] feigned satisfaction, calling for [illegible] and devout thanks to a benign [illegible] that [illegible] are at peace with all mankind; [illegible] exhibits the most cheering evidence [illegible] welfare, and progressive improvement. Turning [illegible] eyes to other nations, our great [illegible] three of the human race secured [illegible] by ourselves, and advancing [illegible] freedom, and in social happiness.

The foreign relations, although in their general [illegible] and friendly, present subjects of difference between us and other Powers, of deep interest, as well to the country at large as to many of our citizens. To effect an adjustment of these shall continue to be the object of my earnest endeavors; and notwithstanding the difficulties of the task, I do not allow myself to apprehend unfavorable results. Blessed as our country is with every thing which constitutes national strength, she is fully adequate to the maintainance of all her interests. In discharging the responsible trusts confided to the Executive in this respect, it is my settled purpose to ask nothing that is not clearly right, and to submit to nothing that is wrong; and I flatter myself, that, supported by the other branches of the Government, and by the intelligence and patriotism of the People, we shall be able, under the protection of Providence, to cause all our just rights to be respected.

Of the unsettled matters between the United States and other Powers, the most prominent are those which have, for years, been the subject of negotiation with England, France, and Spain. The late periods at which our Ministers to those Governments left the United States, render it impossible, at this early day, to inform you of what has been done on the subjects with which they have been respectively charged. Relying upon the justice of our views in relation to the points committed to negotiation, and the reciprocal good feelings which characterize our intercourse with those nations, we have the best reasons to hope for a satisfactory adjustment of existing differences.

"The Southern Republics of our own hemisphere, have not yet realized all the advantages for which they have been so long struggling. We trust, however, that the day is not distant, when the restoration of peace and internal quiet, under the permanent systems of government, securing the liberty, and promoting the happiness of the citizens, will crown with complete success, their long and arduous efforts in the cause of self-government, and enable us to salute them as friendly rivals, in all that is truly great and glorious."

"The recent invasion of Mexico, and the effects thereby produced upon her domestic policy, must have a controlling influence upon the great question of South American emancipation. We have seen the fell spirit of civil dissention, rebuked, and perhaps, forever stilled in that republic, by the love of independence. If it be true, as appearances strongly indicate, that the spirit of independence, is the master spirit, and if a corresponding sentiment prevails in the other States, this devotion to liberty cannot be without a proper effect upon the councils of the mother country. The adoption by Spain, of a pacific policy towards her former Colonists—an event consoling to humanity, and a blessing to the world, in which she herself cannot fail largely to participate—may be most reasonably expected."

"*Deeply interested as we are in the prosperity of our sister republics, and more particularly in that of our immediate neighbor, it would be most gratifying to me, were I permitted to say that the treatment which we have received at her hands, has been as universally friendly as the early and constant solicitude manifested by the United States for her success, gave us a right to expect.* But it becomes my duty to inform you, that prejudices, long indulged by a portion of the inhabitants of Mexico, against the Envoy Extraordinary, and Minister Plenipotentiary of the United States, have had an unfortunate influence upon the affairs of the two countries, and have diminished that usefulness to his own, which was justly to be expected from his talents and zeal. To this cause, in a great degree, is to be imputed the failure of certain measures equally interesting to both parties; but particularly that of the Mexican Government, to ratify a treaty negotiated and concluded in its own capital and under its own eye. Under these circumstances, it appeared expedient to give Mr. Poinsett the option either to return or not, as in his judgement, the interests of his country may require, and instructions to that end were prepared; but, before they could be despatched, a communication was received from the Government of Mexico, through its Charge d'Affairs here, requesting the recall of our Minister. This was promptly complied with; and a Representative of a rank corresponding with that of the Mexican Diplomatic Agent, near this Government was appointed. Our conduct towards that Republic has been uniformly of the most friendly character; and having thus removed the only alledged obstacle to harmonious intercourse, I cannot but hope that an advantageous change will occur in our affairs.

In justice to Mr. Poinsett, it is proper to say, that my immediate compliance with the application for his recall, and the appointment of a successor, are not to be ascribed to any evidence that the imputation of an improper interference by him, in the local politics of Mexico, was well founded; nor to a want of confidence in his talents, or integrity; and to add, that the truth of that charge has never been affirmed by the Federal Government of Mexico, in its communications with this."

To the People belongs the right of electing their Chief Magistrate; it was never designed that their choice should, in any case, be defeated, either by the intervention of electoral colleges, or by the agency confided under certain contingencies, to the House of Representatives. Experience proves, that in proportion as agents to execute the will of the People are multiplied, there is danger of their wishes being frustrated. Some may be unfaithful, all are liable to err. So far, therefore, as the people can, with convenience, speak, it is safer for them to express their own will.

The number of aspirants to the Presidency, and the diversity of interests which may influence their claims, leave little reason to expect a choice in the first instance, and in that event, the election must devolve on the House of Representatives; where, it is obvious, the will of the People may not always be obtained, or, if ascertained, may not be regarded. From the mode of voting by States, the choice is to be made by twenty-four votes; and it may often occur, that one of these may be controlled by an individual Representative. Honors and offices are at the disposal of the successful candidate; interested bargainings may make it apparent that a single individual holds the cast in his hand. Shall he not be tempted to name his reward? But even without corruption—supposing the probity of the Representative to be proof against the powerful motives by which he may be assailed—the will of the people is still constantly liable to be misrepresented. One may err from ignorance of the wishes of his constituents; another from conviction that it his duty to be governed by his own judgement of public good; [illegible] generally connected with official station, and although individual distress may [illegible] gment of the fitness of the candidates: finally, although all were inflexibly honest—all accurately informed of the wishes of their constituents—yet under the present mode of election, a minority may often elect the President; and when this happens, it may reasonably be expected that efforts will be made on the part of the majority, to rectify this injurious operation of their institutions. But although no evil of this character should result from such a perversion of the first principle of our system—*that the majority is to govern*—it must be very certain that a President elected by a minority, cannot enjoy the confidence necessary to the successful discharge of his duties.

In this as in all other matters of public concern, policy requires that as few impediments as possible should exist to the free operation of the public will. Let us, then, endeavor so to amend our system that the office of Chief Magistrate, may not be conferred upon any citizen but in presence of a fair expression of the majority.

I would therefore, recommend such an amendment of the Constitution as may remove all intermediate agency in the election of President and Vice President. The mode to be so regulated as to preserve to each State its present relative weight in the election; and a failure in the first attempt may be provided for by confining the second to a choice between the two highest candidates. In connexion with such an amendment, it would seem advisable to limit the service of the Chief Magistrate to a single term, of either four or six years. If, however it should not be adopted, it is worthy of consideration, whether a provision disqualifying for office the Representatives in Congress on whom such an election may have devolved, would not be proper.

While members of Congress can be constitutionally appointed to offices of trust and profit, it will be the practice, even under the most conscientious adherence to duty, to select them for such stations as they are believed to be better qualified to fill than other citizens; but the purity of our government would doubtless be promoted by their exclusion from all appointments in the gift of the President in whose election they may have been officially concerned. The nature of the judicial office, and the necessity of securing in the Cabinet and diplomatic stations of the highest rank, the best talents and political experience, should, perhaps, except these from exclusion.

There are perhaps, few men, who can for any great length of time, enjoy office and power, without being more or less under the influence of feelings unfavorable to a faithful discharge of their public duties. Their integrity may be proof against improper considerations immediately addressed to themselves, but they are apt to acquire a habit of looking with indifference upon the public interests, and of tolerating conduct from which an unpractised man would revolt. Office is considered a species of property; and Government rather as a means of promoting individual interests, than as an instrument created solely for the service of the people. Deception in some, and in others a perversion of correct feelings and principles, divert Government from its legitimate ends, and make it an engine for the support of a few, at the expence of the many. The duties of all the public officers, are, or at least admit of being made so plain, and simple, that men of intelligence may readily qualify themselves for their performance; and I cannot but believe that more is lost by the long continuance of men in office, than is generally to be gained by their experience. I submit therefore, to your consideration, whether the efficiency of the Government would not be promoted, and official industry and integrity better secured, by a general extension of the law which limits appointments to four years.

In a country where offices are created solely for the benefit of the people, no one man has any more intrinsic right to official station than another. Offices were not established to give support to particular men, at the public expence. No individual wrong is therefore done by removal, since neither appointment to, nor continuance in office, is a matter of right. The incumbent became an officer with a view to public benefits; and when these require his removal they are not to be sacrificed to private interests. It is the People, and they alone, who have right to complain, when a bad officer is substituted for a good one. He who [illegible] has the same means of obtaining a

ving that are enjoyed by the millions who never held slaves. The proposed limitation would destroy the consumption produced, it would, by promoting that rotation which constitutes a leading principle of the republican creed, give healthful action to the system.

No considerable change has occurred, during the recess of Congress, in the condition of either our Agriculture, Commerce, or Manufactures. The operation of the Tariff has not proved so injurious to the two former, nor as beneficial to the latter, as was anticipated. Importations of foreign goods have not been sensibly diminished, while domestic competition, under an illusive excitement, has increased the production much beyond the demand for home consumption. The consequences have been low prices, temporary embarrassment, and partial loss. That such of our manufacturing establishments as are based upon capital, and are prudently managed, will survive the shock, and be ultimately profitable, there is no good reason to doubt.

To regulate its conduct, so as to promote equally the prosperity of these three cardinal interests, is one of the most difficult tasks of Government; and it may be regretted that the complicated restrictions which now embarrass the intercourse of nations, could not by common consent be abolished, and commerce allowed to flow, in those channels to which individual enterprize—always its surest guide—might direct it. But we must ever expect selfish legislation in other nations, and are, therefore compelled to adopt our own to their regulations, in the manner best calculated to avoid serious injury, and harmonize the conflicting interests of our agriculture, our commerce, and our manufactures. Under these impressions, I invite your attention to the existing Tariff, believing that some of its provisions require modification.

The general rule to be applied in graduating the duties upon articles of foreign growth or manufacture, is that which will place our own in fair competition with other countries; and the inducement to advance even a step beyond this point, are controlling in regard to those articles which are of primary necessity in time of war. When we reflect upon the difficulty and delicacy of this operation, it is important that it should never be attempted but with the utmost caution. Frequent legislation in regard to any branch of industry, affecting its value and by which its capital may be transferred to new channels, must always be productive of hazardous speculation and loss.

In deliberating, therefore on these interesting subjects, local feelings and prejudices should be merged in the patriotic determination to promote the great interests of the whole. All attempts to connect them with party conflicts of the day, are necessarily injurious, and should be discountenanced. Our action upon them, should be under the control of higher and purer motives. Legislation subjected to such influences can never be just, and will not long retain the sanction of a People, whose active patriotism is not bounded by sectional limits, nor insensible to that spirit of concession and forbearance, which gave life to our political compact, and still sustains it. Discarding all calculations of political ascendancy, the North, the South, the East, the West, should unite in diminishing any burthen, of which either may complain.

The Agricultural interests of our country, is so essentially connected with every other, and so superior in importance to them all, that it is scarcely necessary to invite it to your particular attention. It is principally as manufactures and commerce tend to increase the value of agricultural productions, and to extend their application to the wants and comforts of society, that they deserve the fostering care of Government."

The public prosperity is evinced in the increased revenue arising from the sales of the public lands, and in the steady maintenance of that produced by imports and tonnage, notwithstanding the additional duties imposed by the Act of 19th May, 1828, and the unusual importations in the early part of that year.

The balance in the treasury on the 1st of January, 1829, was five millions, nine hundred and seventy-two thousand, four hundred and thirty-five dollars, 81 cts. The receipts of the current year are estimated at twenty-four millions six hundred and two thousand, two hundred and thirty dollars; and the expenditures of the same at twenty-six millions, one hundred and sixty-four thousand, five hundred and nine ty-five dollars; leaving a balance in the treasury on the 1st of January next, of four million four hundred and ten thousand and seventy dollars and eighty-one cents.

There will have been paid, on account of the public debt, during the present year, the sum of $12,405 and 80 cts.; reducing the whole debt of the government, on the 1st January next, to $48,565,406 50c ts. including 7,000,000 of five per cent stock subscribed to the Bank of the United States. The payment on account of the public debt, made on the 1st of January last, was $3,1015,462 87 cents. It was apprehended that the sudden withdrawal of so large a sum from the banks in which it was deposited, at a time of unusual pressure in the money market, might cause much injury to the interests dependent on bank accommodations. But this evil was wholly averted by an early anticipation of it at the Treasury, aided by the judicious arrangements of the officers of the Bank of the United States.

This state of the finances exhibits the resources of the nation in an aspect highly flattering to its industry, and auspicious of the ability of Government, in a short time, to extinguish the public debt. When this shall be done, our population will be relieved from a considerable portion of its present burthens; and will find, not only new motives to patriotic affection, but additional means for the display of individual enterprize. The fiscal power of the States will also be increased, and may be more extensively exerted in favor of education and other public objects; while ample means will remain in the Federal Government to promote the general weal, in all modes permitted to its authority.

After the extinction of the public debt, it is not probable that any adjustment of the tariff, upon principles satisfactory to the People of the Union, will, until a late period, if ever, leave the Government without a considerable surplus in the Treasury, beyond what may be required for its current service. As then the period approaches when the application of the revenue to the payment of debts will cease, the disposition of the surplus will pesent a subject for the serious deliberation of Congress; and it may be fortunate for the country that it is yet to be decided. Considered in connexion with the difficulties which have heretofore attended appropriations for purposes of internal improvement, and with those which this experience [illegible] will certainly arise, whenever power over such subjects may be exercised by the General Government, it hoped that it may lead to the adoption of some plan which will reconcile the diversified interests of the States and strengthen the bonds which unite them. Every member of the Union, in peace and in war, will be benefited by inland navigation, and the construction of highways in the several States. Let us then endeavor to attain this benefit in a mode which will be satisfactory to all. That hitherto adopted has, by many of our fellow citizens, been deprecated as an infraction of the Constitution, while by others it has been viewed as inexpedient. All feel that it has been employed at the expence of harmony in the legislative councils.

To avoid these evils it appears to me that the most safe, just, and federal disposition which could be made of the surplus revenue, would be its apportionment among the several states according to their ration of representation; and, should this measure not be found warranted by the Constitution, that it would be expedient to propose to the states an amendment authorizing it. I regard an appeal to the source of power, in cases of real doubt, and where its exercise is deemed indispensable to the general welfare, as among the most sacred of all our obligations. Upon this country, more than any other, has, in the providence God, been cast the special guardianship of the great principle of adherance to written constitutions. If it fail here, all regard to it will be extinguished.—That this was intended to be a government of limited and specific, and not generally owners, must be admitted by all; and it is our duty to preserve for it the character intended by its framers. If experience points out the necessity for an enlargement of these powers, let us apply for it to those for whose benefit it is to be exercised; and not undermine the whole system, by a resort to overstrained constructions. The scheme has worked well. It has exceeded the hopes of those who devised it, and became an object of admiration to the world. We are responsible to our country, and to the glorious cause of self government, for the preservation of so great a good. The great mass of legislation relating to our internal affairs, was intended to be left where the Federal Convention found it—in the State Governments. Nothing is clearer, in my view, than that we are chiefly indebted for the success of the Constitution under which we are now acting, to the watchful and auxiliary operation of the State authorities. This is not the reflection of a day, but belongs to the most deeply rooted convictions of my mind. I cannot therefore, too strongly, or too earnestly, for my own sense of its importance, warn you against all encroachments upon the legitimate sphere of State sovereignty. Sustained by its healthful and invigorating influence, the Federal system can never fall.

THE GAZETTE.

SAN FELIPE DE AUSTIN:

SATURDAY, JANUARY 23, 1830.

☞ The Editorial department of the Gazette, will, in future, be under the superint[illegible] M. WILLIAMSON, Esq.

It will be remembered by the [illegible] that in our last number, there [illegible] by the Editor, at the request o[illegible] that there would be a suspen[illegible] for the purpose of striking off [illegible] translation of the Laws of Colo[illegible]

Nearly eight years have ela[illegible] mencement of the settlement o[illegible] the wilderness of Texas; and [illegible] of population has been kept up [illegible] emigration of foreigners from th[illegible] North; it is nevertheless, that [illegible] the colonists, have hitherto rem[illegible] unacquainted with the acts of [illegible] provisions and restrictions, whic[illegible] ble possession of their homes in t[illegible] he.—It argues implicit confiden[illegible] as well in the munificent inten[illegible] ment, towards them as strangers, [illegible] diate officers, by the exercise of whose duties every colonist has received his grant of lands in Texas.

Three hundred copies of the pamphlet alluded to (after waiting several weeks, for a supply of stationary which had been ordered from New-Orleans, in September last; but which, from circumstances, over which we had no control, we did not receive until the first of this year.) have been completed, and are now ready for sale—we hope public expectation will labor under no disappointment after a perusal of it as relates to the importance of its publication.

We recommend the careful perusal of it to every individual colonists, *as the guarantee of his rested rights*—and to every stranger, or foreigner who is desrous of becoming a colonist in the republic of Mexico, we recommend it as a guide.

Prompt Administration of Justice.—On Saturday the 10th or this month, a man by the name of —— Wilson, was detected in stealing some clothing from the store of Messers. Cooper & Chenves of this Town. He was immediately arrested and taken before Thomas Barnett Esq. the constitutional alcalde of this jurisdiction, and the felony being manifested, the evidence positive, he was sentenced to receive "Lynches *Law*," to the old tune of [*thirty nine*,] which was immediately struck up at the dead tree on the Square. This suit of stripes, thus acquired by Wilson, ought to be a *caution* to others, that have an *inclination to clothe themselves in the same way.*

We have the pleasure of [illegible] before our readers to-day, a translation of the decree of the President.

of the 15th September last abolishing slavery in the Republic, and the remonstrance of the Chief of Department, addressed to the Governor of the state, on the subject, and praying an exception of Texas from the provisions of the decree; under date of the 14th November, the Governor forwarded a representation couched in strong and dignified language, to the Government praying for the exception.

We must, in common with our readers, regret that the occupation of the Translator, has prevented the whole subject from being placed before them, in this number; that, of itself would be a sufficient eulogy, on the almost unexampled watchfulness, and protection of the Superior Government of the Department and State, over these infant colonies.—We must reflect, because we well know, they have no slaves to lose by the operation of the decree, that nothing but the conviction on their part, of the vital importance of the colonies to the prosperity of the state, and their determination to protect them, could ever have called forth their united exertions on the subject. It is true that their sympathies must also have been excited towards those individuals, who would have most severely felt the effects of the decree by a loss of property. Nevertheless, sympathies are generally [illegible] by philanthropists in other, as they may think, more important reasons. We therefore congratulate our readers, and we do most certainly felicitate ourselves on the fact of the unparalled goodness, and more than paternal kindness of our Government.—On the 2d December, the President was pleased in consideration of the representation of the Chief of Department and of the Governor, of the state to declare Texas excepted from the provisions of the decree of 15th September, which we shall furnish to our readers in the next number, with a translation of the Governor's representation.

TRANSLATION.

DEPARTMENT OF STATE.—His Excellency the President of the United States of Mexico, has been pleased to address me the following decree.

"The President of the United States of Mexico, to the Inhabitants of the Republic: Know Ye:—That desiring to celebrate, in the year 1829, the anniversary of our independence with an act of justice and national beneficence, which might result in the benefit and support of such good, so highly to be appreciated; which might cement more and more the public tranquility; and which might reinstate an unfortunate part of its inhabitants in the sacred rights, which nature gave them, and which the nation protects by wise and just laws, in conformity with the provisions of the 30th article of the constitutive act, in the use of the extraordinary powers which are conceded to me, I have thought proper to decree:

1st. Slavery is abolished in the republic.

2nd. Consequently, those who had been until now considered slaves, are Free.

3d. When the circumstances of the treasury may permit, the owners of slaves will be indemnified in the mode which the laws may provide. And in order that every part of this decree may be fully complied with, let it be printed, published and circulated.—Given in the Federal Palace of Mexico, the 15th of September, 1829.—Vicente Guerrero, to Don Jose Maria de Bocanegra.—And I communicate it to you for your information, and the consequent effects.—God and Liberty.—Mexico, 16th of September, 1829, Bocanegra.

To His Excellency—I have received the decree of His excellency, the President of the United States, of 15th September last, abolishing slavery in the republic, which your excellency was pleased to transmit to me, in a communication of the 29th of the same month.

When I was about to publish and circulate the foregoing decree, many weighty reflections occurred to me, respecting the evils, which the exact fulfilment of this supreme provision, might cause in this department; and believing that one of my principal obligations is that of manifesting every species of evils to the superior government of your excellency, for your excellency's information and final resolution, I have [illegible] my duty to defer its publication, until I [illegible] them known, for the [illegible], and in order, if they should merit your consideration, that you might be pleased to transmit them to his excellency, the President, for him after weighing them in the balance of equity, and attending to the particular and precise circumstances, in which this important part of the state is placued, might be pleased to make an exception to the decree of the 15th September, in favor of this department, for the reasons, which I will now manifest.

The establishment of the first colony in this department, was made in virtue of the decree of the imperial government of the 18th of February, 1823, confirmed by those of the sovereign general constituent congress, and the supreme executive power, of the 11th and 14th of April, of the same year, and all issued under the general law of colonization of the 4th of January of the same year, given by the "*Junta Instituyente,*" and ordered to be observed for the enterprise only of Mr. Stephen F. Austin, composed of three hundred foreign families.

Afterwards the general law of colonization of the 18th of August 1824, *was published by the sovereign* general constituent congress, and that of this state of the 24th of March of 1825, under which, different contracts have been made by the superior government of your excellency, for colonizing with empresarios both natives and foreign, to the number of more than five thousand families, as it is publicly known, and some of which have been approved by the supreme federal government, in conformity with the provisions of the law upon this matter.

Under these contracts, many families are already in the country, to be established formally, and agreeably to the contracts entered into with the empresarios, and the tenor of the law on this subject.

The first article of the general law of colonization of the 18th August, 1824, reads thus:—"The Mexican Nation offers to the foreigners who may come to establish themselves in its territory, *security in their persons and in their property,* provided they subject themselves to the laws of the country."

The first article of the colonization law of the state, of the 24th March, 1825, runs literally thus:—"All foreigners, who, in virtue of the general law of the 18th August, 1824, by which *security of their persons and property* in the territory of the Mexican Nation, may wish to enter any of the settlements of the state of Coahuila and Texas, *may do so,* and the state invites and calls them."

Under these guarantees, so solemn, the foreigners, that now inhabit this department, entered it and established themselves; and if *security for their persons and property,* was so solemnly offered to them by the Mexican Nation; and if, what is still more, with the same formality they have been *invited* and *called* by the state, it seems very hard that they should be deprived, now that they are established, of a part of their property, by the supreme government, and perhaps of that part which most interests them for the purposes of agriculture, the raising of cattle, and other labors, to which they dedicate themselves, and which cannot be effectuated without the aid of the robust and almost indefatigable arms of that race of human species, that are called "*negroes,*" and which by their misfortune, are held in slavery. But may I be permitted to make an observation; these unfortunate persons when they came to the country, were already slaves, and their masters considered them as articles of commerce, neither the government nor the inhabitants of the country have made them their slaves, it is a condition which they brought with them and they have been introduced for the purposes of making them work in the various labors of agriculture; to free these slaves is the same as to destroy this important branch of public wealth. It appears sufficient, the situation in which Texas is placed by the prohibition sanctioned by the 13th art. of the state constitution of the 11th March 1827, and the modifications which are established by law No. 18, of the 15th September of the same year, declaring free the progeny of slave parents, as also various other concessions in favor of the unfortunate part of the human race.

Two rights of very great importance are found in this interesting question, to wit: the right of liberty, and the right of property, the first is in favor of the slaves, and the second in favor of their owners, which is most sacred, and most to be respected of the two rights in our case in the Mexican republic; here is a problem which has not yet been solved. Philanthropy and the natural sentiments of humanity, cry out immediately, in favor of liberty, but the positive laws *which regulate society array* themselves in favor of property and declare it a sacred and inviolable right not to be disposed of without first using the formalities prescribed in 112th article, 3d paragraph of the federal constitution; but even when these formalities are complied with, previously indemnifying the owners in the value of the slaves which are liberated, they would undoubtedly even in this case, experience many injuries on being deprived of the force, in which is founded their well being, and probably claim the quiet and peaceable possession of their property, as a treasure more estimable and preferable to any recompence.

In consideration therefore of what I have expressed, I believe the fatal *consequences* which *must result* to the colonial establishments of this department by the publication and circulation of the aforementioned decree, will be very apparent to your excellency, whether *they arise from the slaves who claim the* benefit of it, or whether from the owners who require the contrary, and without the respect of any authority being sufficient to restrain them: for which reasons I entreat your excellency to interpose the respect and high dignity of your station with the supreme government of the union, in order that it may grant to this department an exception from the decree abolishing slavery, or communicate to me as soon as possible the resolution which you may think proper to make; assuring your excellency that on *my* part it shall be complied with, as on this occasion it has not been my wish, to oppose, but to manifest as I have done the evils that might result to the interests of the colonists, and the disturbance of the public tranquility in the new settlements, where by a hasty calculation there probably exists over one thousand slaves of both sexes who are held by their masters at from 800 to 1000 dollars each.—God and Liberty.—Bexar, 25th October, 1829.

RAMON MUSQUIZ.

To His Excellency the Governor of the State.

PERSONS wishing to obtain Certificates of admission in the Colonies I am authorized by Government to settle, as also to transact any other business relative to the perfection of their titles, are informed that during my absence from this place, Mr. S. M. Williams, is authorized by me, to issue Certificates, and attend to all other matters connected with the location of Families.

The Surveyors have general instructions, to survey lands for those who have certificates of reception, as Settlers, and for no others—no attention or respect will be paid to settlements made by emigrants who do not report themselves in the manner stated in the notice of 20th November last.

STEPHEN F. AUSTIN.

NOTICE.—All persons indebted to the estate of Peleg Eddy deceased, either by note, or otherwise, are hereby informed that unless they come forward, and settle the claims against them.—Said claims will be put in suit, in a month from this time.

Jan. 23. SAMUEL M WILLIAMS,
Attorney in fact for the heirs.

NOTICE.—Those who are indebted to Moore and McKinstry, by note or open account, are hereby notified that all claims that are not settled by the 15th of February next, will be put into the hands of the Alcalde for suit.—Said claims, are at present in the hands of the subscriber for collection, where those interested can call. SAMUEL M. WILLIAMS,
Jan. 23 Agent

NOTICE.—Is hereby given, that I will attend at the Town of Austin, on the 4th of March next, to make titles to the purchasers, for the different tracts sold by me, belonging to the estate of Wm. Parker deceased, at which time, those indebted on said purchases, are requested to attend and make payment, that each Creditor of said Estate, may receive his dividend. Town of Austin, Jan 1st 1830.

THOMAS M. DUKE.
Administrator of the Estate of Wm. Parker, deceased.

NOTICE.—Persons who may wish to employ an agent to select Land for them, are notified that I offer my services to make selections for those who have received certificates of reception, as settlers in Austin's Colony. My charge, will be regulated on an interview with the person who employs me.

SETH INGRAM.

THE TEXAS GAZETTE.

"DIOS Y LIBERTAD."

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VOL. I. AUSTIN, SATURDAY, JAN. 30, 1830. NO. 6.

EDITED BY

ROBERT M. WILLIAMSON.

We this day give our readers the remainder of the leading points, contained in president Jackson's message, by way of concluding that most excellent document.

On an examination of the records of the Treasury, I have been *forcibly* struck with the large amount of public money which appears to be outstanding. Of the sum thus due from individuals to the Government, a considerable portion is undoubtedly desperate; and in many instances has been probably rendered so by remissness in the agents charged with its collection. By proper exertions, a great part, however, may yet be recovered; and whatever may be the portions respectively belonging to these two classes, it behooves the Government to ascertain the real state of the fact. This can be done only by the prompt adoption of judicious measures for the collection of such as may be made available. It is believed that a very large amount has been lost through the inadequacy of the means provided for the collection of debts due to the public, and that this inadequacy *lies chiefly in the want of legal skill, habitually* and constantly employed in the direction of the agents engaged in the service. It must, I think, be admitted, that the supervisory power over suits brought by the public, which is vested in an *accounting* officer of the Treasury, not selected with a view to his legal knowledge and encumbered as he is with numerous other duties, operates unfavorably to the public interest.

It is important that this branch of the public service should be subjected to the supervision of such professional skill as will give it efficiency. The expence attendent upon such a modification of the Executive Department would be justified by the soundest principles of economy. I would recommend, therefore, that the duties now assigned to the Agent of the Treasury, *so far as they relate to the superintendence* and management of legal proceedings, on the part of the United States, be transferred to the Attorney General, and that this officer be placed on the same footing in all respects, as the heads of the other Departments—receiving like compensation, and having such subordinate officers provided for his Department as may be requisite for the discharge of these additional duties—The professional skill of the Attorney General, employed in directing the conduct of Marshalls and District Attorneys, would hasten the collection of debts now in suit, and hereafter save much to the Government. It might be further extended to the superintendence of all criminal proceedings for offences against the United States. In making this transfer great care should be taken, however, that the power necessary to the Treasury Department be not impaired; one of its greatest securities consisting in a control over all accounts, until they are audited or *reported for suit.*

In connexion with the foregoing view, I would suggest, also, an enquiry, whether the provisions of the act of Congress, authorising the discharge of the persons of debtors to the Government, from imprisonment, may not, consistently with the public interest, be extended to the release of the debt, where the conduct of the debtor is wholly exempt from the imputation of fraud. Some more liberal policy than that which now prevails, in reference to this unfortunate class of citizens, is certainly due to them, and would prove beneficial to the country. The continuance of the liability, after the means to discharge it have been exhausted, can only serve to dispirit the debtor; or where his support is but partial, the want of power in the Government to compromise and release the demand, instigates to fraud, as the only resource for securing a support to his family. He thus sinks into a state of apathy, and becomes a useless drone in society, or a vicious member of it, if not a feeling witness of the rigor of his country. All experience proves, that oppressive debt is the bane of enterprize; and it should be the care of a Republic not to exert a grinding power over misfortune and poverty.

Since the last session of Congress, numerous frauds on the Treasury have been discovered, which I thought it my duty to bring under the cognizance of the United States' Court for this district, by a criminal prosecution. It was my opinion, and that of able counsel, who were consulted, that the cases came within the penalties of the act of the 17th Congress, approved 3d March, 1823, providing for the punishment of frauds committed on the Government of the United States. Either from some defect in the law or in its administration, every effort to bring the accused to trial under its provisions proved ineffectual; and the Government was driven to the necessity of resorting to the vague and inadequate provisions of the common law. It is therefore my duty to call your attention to the laws which have been passed for the protection of the Treasury. If, indeed, there be no provision by which those who may be unworthily entrusted with its guardianship, can be punished for the most flagrant violation of duty, extending even to the most fraudulent appropriation of the funds to their own use, it is time to remedy so dangerous an omission. Or, if the law has been perverted from its original purposes, and criminals, deserving to be punished under its provisions, have been rescued by legal subtleties, it ought to be made so plain, by amendatory provisions, as to baffle the arts of perversion, and accomplish the ends of its origininal enactment.

In one of the most flagrant cases, the court decided that the prosecution was barred by the statute which limits prosecution for [illegible] to two years. In this all the evidences of [illegible], and indeed all knowledge that a fraud [illegible], were in possession of the party accused, until after the two years had elapsed. Surely the statute ought not to run in favor of any man, while he retains all the evidences of his crime in his own possession; and, least of all, in favor of a public officer, who continues to defraud the Treasury, [illegible] conceal the transaction for the brief term of two years. I would therefore recommend such an alteration of the law as will give the injured party and the Government two years after the disclosure of the fraud, or after the accused is out of office, to commence their prosecution.

In conexion with this subject, I invite the attention of Congress into a minute and general inquiry into the condition of the Government; with a view to ascertain what offices can be dispensed with, what expences retrenched, and what improvements may be made in the organization of its various parts, *to secure the proper responsibility* of public agents, and promote efficiency and justice in all its operations.

The report of the Secretary of War, will make you acquainted with the condition of our army, fortifications, arsenals, and Indian affairs. The proper discipline of the army, the training and equipment of the militia, the education bestowed at West Point, and the accumulation of the means of defence, applicable to the naval force, will tend to prolong the peace we now enjoy, and which every good citizen, more especially those who have felt the miseries of even a successful warfare, must ardently desire to perpetuate.

The President after dwelling for some time, on the importance of State Rights, says:—

Actuated by this view of the subject, I informed the Indians inhabiting parts of Georgia and Alabama that their attempt to establish an independent government would not be countenanced by the Executive of the United States, and advised them to emigrate beyond the Mississippi, or submit to the laws of those States.

Our conduct towards these people is deeply interesting to our national character. [illegible] present condition, contrasted with what they once were, makes a powerful appeal to our sympathies. Our ancestors found them the uncontrolled possessors of these vast regions. By persuasion and force, they have been made to retire from river to river, and from *mountain to mountain,* until some of the tribes have become extinct, and others have left [illegible] remnants to preserve, for a while, their once [illegible]. Surrounded by the whites, with their arts of civilization, which, by destroying the resources of the savage, doom him to weakness and decay, the fate of the [illegible]hegan, the Narragansett, and the Delaw[illegible] overtaking the Choctaw, the Cherokee, [illegible]. That this fate surely awaits them, if they [illegible] in the limits of the States, does not ad[illegible]. Humanity and national honor demand that [illegible] effort should be made to avert so great a [illegible]. It is too late to enquire whether it was [illegible]nited States to include them and their [illegible] in the bounds of new States they [illegible] that step cannot be retraced. A [illegible] dismembered by Congress, or restrict[illegible]cise of her constitutional power. [illegible] these States, and of every State [illegible] of justice and regard for our [illegible] to you the interesting question [illegible] cannot be done, [illegible] States, to preserve [illegible] much injured race [illegible]

As a means of effecting this end, I [illegible] your consideration, the propriety of setting apart an ample district West of the Mississippi, [illegible] the [illegible] any state or territory, now formed, to be guaranteed to the [illegible] long as they shall occupy it, each tribe [illegible] distinct control over the portion designated [illegible] they may be secured in the enjoy[illegible] their own choice, subject [illegible] the United States, [illegible] such as may [illegible] preserve peace on the frontier, [illegible] tribes. There the benevolent may [illegible] teach them the arts of civilization, and [illegible]ting union and harmony among the[illegible] interesting commonwealth, destined [illegible] the race, and to attest the humanity [illegible] this Government.

This emigration should be vo[illegible] be as cruel as unjust to com[illegible] don the graves of their [illegible] distant land. But they [illegible]ed that, if they remain within [illegible] they must be subject to their laws [illegible] their obedience, as individuals, they [illegible] doubt, be protected in the enjoyment [illegible]sions which they have improved [illegible]. But it seems to me visionary to [illegible] state of things, claims can be [illegible] country on which they have [illegible] improvement, merely because [illegible] from the mountain or pass[illegible]. Submitting to the laws of the [illegible] like other citizens, protection [illegible] property, they will ere long [illegible] the mass of our population.

NOTICE.—Is hereby [illegible] the Town of A[illegible] to make titles to the pur[illegible] sold by me, belonging to the [illegible] deceased, at which time [illegible] chases, are requested to attend [illegible] that each Creditor of [illegible] idend. Town of Austin [illegible]

[illegible]

Administrator of the Estate [illegible]

NOTICE.—Persons who may wish to [illegible] agent to select Land for them, [illegible] I offer my services to make select[illegible] have received [illegible] Austin's Colony [illegible] an interview with the person[illegible]

Jan. 23.

TEXAS GAZETTE.

SAN FELIPE DE AUSTIN:

SATURDAY, JANUARY 30, 1830.

The following *Old* Puzzle we recommend to the particular attention of our patrons. Those who *solve it to our satisfaction*, will be entitled to a receipt for all demands.—We have lately been *puzzled* most provokingly.

☞ We omitted in our last, to notice the departure of the Commissioner General, Don Juan Antonio Padilla, [illegible] this place for Nacogdoches, rendering an apology for his short stay with us, the [illegible] in which he found the affairs of the Colony, and the [illegible] necessity of his presence at Nacogdoches, that he might give the inhabitants of that place some assurance, on the part of the government, that their claims would not be neglected. We are much pleased with the Commissioner, and believe he has the interest of the Colonies sincerely at heart.

☞ We congratulate the early settlers of this Colony, on the rapidity with which the population of our settlement is daily augmenting.

Since the 1st day of December last, the Empresario, Col. Stephen F. Austin, has issued *two hundred and thirty certificates of reception*, to *foreigners*, chiefly natives of the Northern Republic, who have emigrated here, with a view of colonizing themselves, under his contracts with the General and State Governments. This fact affords us abundant proof of the respectability of our settlement *abroad*; whilst we have only to refer our readers to the remonstrance of Governor Viesca, to the Secretary of those United States, on the subject of the President's Decree abolishing Slavery in the Republic, as a proof of the high consideration in which we are held by this Government.

We call the attention of our readers, to the able, spirited and [illegible] remonstrance of his Excellency the Governor of this State, addressed to the Secretary of State of the United States, on the effect and operation of the decree of his Excellency the President, under date of the 15th September last, abolishing Slavery in the Republic. It seems from all that we can collect on the subject, that our worthy Chief Magistrate of State, on the receipt of that decree, delayed its publication, until he could communicate it, together with the instructions of the Secretary, to [illegible], *Vice Governor* of this Depart[illegible] [illegible] dispatch, the Governor [illegible] Chief of Department [illegible] last number,) [illegible] *refused to publish* it, until further and still more special instructions, from the Supreme Government, should have been received by him, to that effect.

In the meantime, this patriot statesman, this vigilant and indefatigable defender of individual and state rights, lost no time in memorializing his Excellency the Governor, informing him of the resolution he had taken not to publish the decree, and requiring his Excellency, to interpose the high consideration and esteem with which he was held by the Supreme Government, to procure an exception of this *Department, from* the *provisions* of that decree, and thereby avert the certain and inevitable ruin that awaited our infant Colonies, in the event of its general operation. Extracts from the Chief of Department's memorial, seemed to serve our Governor as a preamble, to his able, energetic, and high-toned remonstrance, to the Superior Government, which we this day publish; whilst, by the co-operation of the two, we have guaranteed to us, by the Supreme Government, without the trouble of asking, all we could wish for, as colonists—the SECURITY of our PERSONS and PROPERTY.

[*TRANSLATION.*]

[No. 126.]—Most Excellent Sir—I accompany to your excellency, the copy of a representation directed *to me by the Chief of Department* of Texas, manifesting the fatal consequences that would be produced in the territory under his charge, by the decree which, under date of the fifteenth of September last, his excellency the president was pleased to dictate, abolishing slavery in the whole Republic, *and praying on that* account an exception of the law in favor of said department, which prayer he asks me to strengthen, by interposing the high consideration of this government, as being aware of the evils that must arise in the state on account of said decree.

This government, most excellent sir, without the necessity of the solicitation before mentioned, would have proceeded immediately, on the receipt of said decree, to implore from his excellency, the president, his favor and protection towards this state, by means of exemption, or some other of a similar nature, to the one indicated, as it has acquired by the peculiar situation of the state a knowledge of the difference between its situation, in regard to slaves, from that of any other state of the Mexican Confederation. To carry into effect the said decree, would not *only* overturn the pleasing hopes for the future progress and prosperity of this state, which at this time are presented by its colonization; but it would also give a destructive blow to it; the present situation of it is very precarious and miserable; and perhaps its character as a state might disappear, under the operations of the decree. The resources of the state at this time are in generative existence, and measurably relying for their increase on the colonial establishments, assisted by the slaves existing in them, and which *increase*, the decree in question, will reduce to an unimportant consideration. The object of the aforementioned decree for a thousand other reasons, as recommendable, withhold me from representing as before indicated, until I had more extensively seen (as I have by the *petition before mentioned*,) whether in that part of the state where principally it would occasion very great injuries, it would be possible to reconcile the great interests which oppose, with the purpose worthy of the great consideration to which the decree aims, which is the philanthropy of liberating those men from a condition to which they have been reduced by the most shameful of human institutions, adopted in an obscure and savage age; the evil effects of which unfortunately, even the most civilized nations, have not been capable of annihilating, at a blow. In the United States of the North, in that classic country, cradle of liberty, and of practical philanthropy, so favorable to the independence and dignity of the rational species, we see that it has not been permitted to its wise legislators to gratify the most pleasing wishes of their hearts, on the subject of which I am speaking; and there, as in all other places, it is necessary there should yet exist slaves, by the irresistible power of the circumstances, which created the respective laws of which, unfortunately, a spontaneous use was made in times past, and even now are made, although, without doubt, through necessity and to avoid greater evils.

The department of Texas, excellent sir, which was formerly known as a province under the same name, is an immense country, and very integral to the consolidation and prosperity of the state under my charge; from the increase of that, in the course of a few years this will inevitably rise from the almost absolute state of nullity under which it now exists, and the colonization established there is the only measure which has presented itself to us which will effectually do it, and at this time we must unfold the very great resources, which must be furnished from numerous and extremely fertile lands, adjacent to the Atlantic, and bordering on the most cultivated power of our continent. It is therefore certain, that if the decree in question frees a thousand or more slaves, that assist, by their labor, in the agriculture, industry and other arts of importance which are commencing in those young colonies, and sustain the content and quiet of the the proprietors, their masters, and who at this time form the most nervous part of the wealth and population of the said country, it is certain, I repeat, that this state must separate from itself, for *many years*, all ideas of its advancement, and even prepare for the conflict of seeking a remedy, which will be very difficult to find, in order to maintain, *if you please*, its actual precarious existence—because it must be considered as effective, the loss of those sums that ought to ingress, in a short *time, to its treasury, in virtue of the contracts on* Colonization which have been made, and which, in consequence of the decree spoken of, will remain in*effectual*.

The thousand and upwards of slaves that the decree manumits in Texas, under the remote indemni*fication, which necessarily must arise from the exhausted* state of the public treasury, belong to the foreigners who have been settled as colonists amongst us, and it is to be feared, on feeling the effects of the disposition about to be made, on them, of their property, although under indemnification, but that under delays and the consequent injuries, will draw upon the state some commotions, to remedy which, we shall find ourselves in the severe compromition of using violent and costly measures. Not by this do I wish inferred, that those settlers are of a turbulent and insubordinate character, for up to this time I have received nothing but proof to the contrary—but would refer to the condition of man, and the inclinations of which he is capable, when, from one day to another, he is about to be ruined, as would result to many of them, whose whole fortune consists in their slaves.

The foregoing, excellent sir, sufficiently merit the solicitation I make through your excellency to his excellency the president of the republic, in order that he may be pleased to declare the department of Texas excepted from the disposition comprehended in the decree issued 15th Sept. last, abolishing slavery in the republic, as one of the greatest benefits which the state under my charge can receive.

With considerations of high esteem and respect for your excellency. God and Liberty.—Leona Vicario, 14th Nov. 1829.

JOSE MARIA VIESCA.

To His Excellency the Secretary of State and Relations.

[*TRANSLATION.*]

His Excellency the Governor of the State, under date of 12th of the present month, has been pleased to communicate to me, the following resolution:—

"In consequence of the representation, which, under date of 14th of Nov. last, this Government transmitted to the Supreme Government of the Nation, soliciting an exception *for* the Department under charge of your honor, of the provisions of the Decree of 15th September last, issued by his Excellency the President of the Republic, in virtue of his existing extraordinary faculties. "His Excellency the Minister of relations, under date of the 2d instant, has communicated to me the following supreme resolution:—Most Excellent Sir, his Excellency the President having been informed of the note of your Excellency, No. 126, of the 14th of last month, manifesting, conformably with the exposition of the Chief of Texas, which you forwarded. The serious incon-

veniences apprehended by the execution of the Decree of 15th September last, on the subject of the abolition of slavery in that Department, and the fatal results to be expected, prejudicial to the tranquility and even to the political existence of the State; and having considered how necessary it is to protect, in an efficacious manner, the colonization of these immense lands of the Republic, has been pleased to accede to the solicitation of your Excellency, and DECLARE THE DEPARTMENT OF TEXAS EXCEPTED from the general disposition, comprehended in said Decree.—Therefore his Excellency declares that no change must be made as respects the Slaves that legally exist in that part of your State governed by your Excellency, expecting from your patriotism and philanthropy, that you will cause the most vigorous vigilence to be used, in order that the general laws and those of the State which prohibits the introduction of new slaves and establishes the liberty of the progeny that are born in your territory, be complied with, so that by this means the time may not be long before the melancholly and repugnant spectacle, may disappear from the Mexican soil, which is presented to the eyes of philosophy, in the slavery of part of the human species, born with equal rights of liberty, with the rest, and which could only have been so abused and vilified, but by the right of force, which is without dispute the most barbarous of any known.

'I have the honor to communicate to it your Excellency in reply to your before mentioned communication, offering to you my considerations and respect.—God and Liberty.—Mexico, 2d Dec. 1829. To his Excellency the Governor of the State of Coahuila and Texas.' And I transcribe it to your Honor, for your information and corresponding purposes, congratulating myself with the satisfaction that this act will create in the feelings of your Honor, and those worthy inhabitants, as principally, and more directly interested in the objects of the concession presented."—And I hasten to communicate it to you for your information, &c. and at the same time, express my gratification, that by the favor granted by his Excellency the President of the Republic, we are saved from evils, which would have been produced by the execution of the decree of 15th Sept. abolishing slavery; for which favorable and interesting success I congratulate the worthy inhabitants of that jurisdiction; wishing you to place before them, in the Gazette of that town, the exposition made from this department, that of the Governor's and the pre-inserted supreme resolution.—God an Liberty.—Bexar, 24th Dec. 1829. RAMON MUSQUIZ.

To the Cositutional Alcalde of Austin,

IMPORTANT.

We lay before our readers on to day, some translated extracts from official documents, received by the last western mail; for which we are indebted to S. M. Williams, Esq. Post-Master of this place.

From the variety of accounts received from the Capital, which are too long to admit of detailed translations, in time for the present number of our paper, it appears that the investment of the President, by Congress, with extraordinary powers or faculties, has produced, if not an open violation of the Constitution by the President, at least much inconvenience to the co-ordinate authorites, and those distinguished officers of the Government, who have declared in favor of the plan of Xalapa, and whose motto now is, "Save the *Constitution* and *Laws*."

SUMMARY.

The Army of Reserve, at Julapa, in their appeal and declaration State, "that the soldiers who combatted with the Spaniards, on the coast of Tampico, have suffered, in conjunction with the others, every species of privation and want, whilst the nation was borne down with contributions for the expences of the war; the product of which was squandered in the extravagance of favorites, and for other purposes; notwithstanding which, the soldier has not complained, but has suffered with a constancy only known to republican soldiers. But when society is about to be dissolved, and exposed to be thrown into anarchy, and result, finally, in becoming t[illegible] creature of any despot, the military cannot remain insensible of the fate of its fellow citizens and the country; when the origin of the evils which have created general discontent—such as the non-observance of the laws, the abuses of administration, and in the want of public confidence, under which, some of the agents of government have fallen into. The military therefore believe themselves obliged to put in practice some measures calculated to save the country, and give impulse and direction to public opinon which reasons in union with others."—The foregoing quotation heads the proclamation made by the army of reserve on the 4th of December.

One thing complained of in the proclamation was the extraordinary faculties with which the executive was invested, and he was then petitioned to renounce them, and convoke congress, in order to adopt measures to remedy the evils that afflicted the nation. By a decree of the 10th Dec. the president convoked congress, and ordered them to hold a preparatory meeting at 7 o'clock in the evening of that day—and by an official letter directed to the governor of this state, under date of the 12th Dec. by the minister of state, it appears that congress convened on the 11th, and that the president had renounced the extraordinary faculties with which he had been invested; declaring, consequently, there could exist no cause of revolution; that with regard to the removal of the public functionaries, complained of, that the citizens had, from that time, a right to ask for it, conformably with the laws.

It is unofficially stated that the president left Mexico on the 16th or 17th, at the head of 3000 men, to suppress the malcontents.

On the 23d the garrison of Mexico adopted the plan of Jalapa, for the re-establishment of constitutional order.—It will be seen that they complain of a continuance of abuses under the extraordinary faculties, by the return of a decree of congress, and the appointment or investment of Mr. Bocanegra with the supreme executive power, during the absence of the president, &c. Under the same date General Quintanar issued a proclamation, addressed to the citizens, in which, after many expositions of improprieties, he states—"that no contributions, no imposts, no tributes, of any description were sufficient to cover a *preser puesto*, (calculation of costs) whose amount recognized no other limits than those of the distributors. You have seen large fortunes disappear, and in a moment others raised from the dust to the rank of most brilliant opulency. From day to day, you will enter into that system which better accords with the rights of man in society," &c.

On the same day there was an address to the citizens of the republic by Don Pedro Velez, Luis Quintanar and Lucal Alaman, invested provisionally with the supreme executive power; the former as president of the supreme court, and the other two appointed by the council of government, conformably with the 97th and 116th articles of the constitution—Among other things, they state that—"the army of reserve and the valiant garrison of that capital, corresponding with what ought to be the soldier and the citizen, have restored to the constitution the sovereign power of which it had been deprived by repeated crimes—have renovated the sacred oath of its observance, and have complied with what they owe to their country," &c.

On the 26th of Dec. a communication was received by the congress of this state, from General Bustamente, dated in Jalapa, 6th Dec. in which, after manifesting his views, as the head of the army of reserve, expresses a conviction, in his opinion, that the state will declare in favor of it.—On the 31st the legislature convinced of the general sentiment that prevailed in the capital, in favor of the plan of the army of reserve, and in order to prevent the citizens from an improper manifestation of their desires, issued the following decree:

1. The congress of the state declare its adhesion to the plan of the army of reserve proclaimed in Jalapa.

2. The observations which may suggest themselves on the said plan, will be made in, the approaching ordinary sessions.

3. If any, whatever may be his rank, disturbs the order, compromitting the public security, under the pretext of jay, or privilege, on account of this event shall be considered a criminal, subject to death, under the sole proof of the fact.

On the 8th of January a committee of the congress of this state, to whom was referred the communication of the vice-president, Bustamente, relative to the proclamation of the army of reserve, and in a report of some length state that—"They have seen with astonishment the accumulation of evils, which afflict the country, and the precipice to which it would have been indubitably conducted on that account, if there had not been at the front of its destinies, some worthy and distinguished mexicans, who have constantly inspired confidence, by their decernment, correct intention, and sound judgment."—And after many other observations, made to strengthen their positions, recommend to the congress the following propositions which were adopted:

"The Constitutional Congress of the Free, Independent and Sovereign State of Coahuila and Texas, on account of its declarations in favor of the plan of the army of reserve, proclaimed at Jalapa, and sanctioned by decree No. 100, conformably with the 2d article, have thought proper to decree:

1. That the notorious evils wh[illegible] the [illegible] lic, on account of the abuses in [illegible] of its administration, asks o[illegible] gress the removal of all the of[illegible] against wh[illegible] public opinion has been express[illegible]

2. As soon as the General Con[illegible] sessions, the Congress of the S[illegible] whatever they may deem cond[illegible] remedy the evils, spoken of in the foregoin[illegible] may tend to public felicity.

3. The State protests not to [illegible] sures that tend to party vengean[illegible] ders extinguished and forgotten[illegible] by sound policy and public conve[illegible]

4. It consequently declares its [illegible] Army of Reserve, provided they [illegible] comply with the protestations [illegible] which they make merit, in their [illegible] which reason, the executive of t[illegible] all the assistance which the funds [illegible] permit.

5. The governor shall carry on [illegible] nications with the present Suprem[illegible] er, residing in the capital of the r[illegible]

6. The governor shall direct th[illegible] respective exposition, to the same Supreme Executive Power of the Nation; as also to their excellencies the Generals in Chief of the army of reserve, governors of the states, commandant generals, and political chiefs of the territories.

[Signed by the President and Secretaries of Congress.]

General Don Melchor Musquiz, who [illegible] to have been authorized as second Chief of the [illegible] of reserve, by appointment of the first [illegible] Don Anastacio Bustamente, (says President [illegible] in his proclamation,) proclaimed in Xalapa the 4th Dec. without the approbation of the general government, a plan, which is in substance as follows:—

The army of reserve will protect the federal compact, and respect the sovereignty of the States, and preservation of the Union, and protests not to lay aside its arms, until the constitutional form is restored and a perfect observance of the fundamental laws; and for which purpose they call upon the President to renounce the extraordinary faculties with which he is invested, and convoke Congress [illegible] sible—remove those functionaries [illegible] neral opinion has been expressed—[illegible] is not with a view of arrogating to [illegible] power, promises obedience to the supreme [illegible] gally constituted that are [illegible] the Constitution, and promise [illegible] public tranquility at every cost, [illegible]—and in order to carry into effect [illegible] remit copies of it to the supreme authorities of the nation, and states, and by means of a [illegible] invite Generals Bustamente and Santa Ana, as the conquerors of Jucho and Tampico to [illegible] at the head of the army; and in case they [illegible], the highest officer in rank of those who [illegible] proclamation, shall take command.

This Proclamation is signed, by [illegible] Musquiz, and ten other officers.

On the 23d of Dec. an [illegible] ments of the chiefs and [illegible] establishment of the constitution[illegible] al, in which, they state, that as [illegible] soldiery of the country, they are bound [illegible]

save it—that the army of reserve have solemnly declared, to sustain the present form of government, adopted by the nation in its fundamental laws, and to re-establish, consequently, the constitutional order, which has been disturbed by a scandalous transgression of those laws—that this is likewise the vote of the States, and also that of the capital—and that civil war might result from silence—that the national congress does not exist united, as it agreed to close its extraordinary sessions on the 16th inst. which decree, should have been complied with by the executive, and not returned with observations, as the 73d article of the constitution prohibits it. That Congress was not in session when the House of Representatives appointed Don Jose Maria Bocanegra, to exercise the supreme executive power; which appointment is consequently null, and because it vested in a representative—that even had the election been legal, Mr. Bocanegra, could not exercise the executive power, as he had not taken the oath, prescribed in the one hundred and first article of the Constitution. —that this solemnity of the law was dispensed with by the executive, in virtue of the extraordinary faculties with which he was vested by congress, and which the executive had declared he would not use, thus elevating himself over the legislative power and the constitution itself. That, on account of that declaration, made to blind the people, those unbounded powers have been continued in exercise, to create creatures and resources. That the general who exercised the executive power, left this city to put himself at the head of a division, against the army of reserve, thereby provoking civil war; and that by the nullity of the appointment of Mr. Bocanegra, the nation is now without the legal and constitutional government which ought to govern. All of which having been well meditated, and animated by the present intentions, unanimously agree:—First, to adopt the plan proclaimed by the army of reserve, in Jalapa, on the 4th inst. Second, transmit their votes to the council of government, inorder that it, listening to the voice of the people, and in the exercise of the functions given to it by the constitution, call to take charge of the supreme executive power, the president of the supreme court, and appoint two citizens as associates, conformably with the 97th art. of the constitution. Third, respect and protect all the legal constituted authorities. Fourth, that the garrison of that capital, shall remain united, until the arrival of the army of reserve, without meddling with any executive act, preserve at all cost the public tranquility, and oppose *the entry of all force directed to impede this proclamation.* Signed LUIS QUINTANAR, five other generals, and a number of colonels, lieut. colonels, captains, &c. &c.

MEXICO, Dec. 30, 1829.

By the "Sun," and other printed sheets which I forward you, you will be informed how generally the states and towns have seconded the plans of the army of reserve in Jalapa. I can assure you without fear of erring, that by this date, the plan will have been adopted by the other states and troops, although, as yet, we have not received information of it. It is said that general Bustamante will arrive here to-morrow. Only general Santana and a few individuals, thro' motives of individual interest, oppose the declartion of the whole nation, in favor of the constitution and laws. It is a very hazardous undertaking in which this general has engaged: I know not how he will get through with it.

I have just been assured, by persons of much credit, that Santa Ana, finding himself without troops that would follow him and without any place of *refuge* for 400 men, which he raised at the commencement, has retired to his hacienda, and the troops that followed him, has dispersed. On the 24th Santa Ana, was in Xalapa, where he was not feared. Something is expected when he may have received the proclamation of Mexico. It is said by reports from Vera Cruz and Xalapa, that Santa Ana directed his course with 200 men to the former place; before his arrival, he was notified by the commandant of the place that if he did not conform to the plan of the army of reserve, he would be received and treated as an *enemy* of the country; for which reason he returned to Perote, where previous to his arrival he was informed in the same manner as at Vera Cruz, and he had consequently dispersed his 200 men that were with him, and retired to his hacienda.

Gen. Don Ignacio de Mora, chief of the division, that accompanied *Guerrero*, has, in conjunction with all the officers and troops, pronounced in favor of the plan of Jalapa, in Ayacapixtla, on the 26th, at 7 o'clock, in the evening, at which time Guerrero had separated and retired to Tixtla with a small escort.

Gen. Bustamente is expected to-morrow in this place, and is expected to authorise and assist at the opening the session of Congress, on the 1st of Jan. notwithstanding the exertions of some of the members to the contrary, who are well known for their *evil deeds*, as also their exertions to prevent a sufficient number uniting, under the pretext of oppression and want of liberty, which does not exist, as here *every thing is tranquil*, and joy appears in the countenances of all, with the exception of some members and their companions, who are yet at work in the suburbs to create disorder, as they always have done. There is a handbill of various *members*, who declare that they enjoy the most perfect liberty, &c. denying what has been said to the contrary, by some discontents, who are friends to disorder.

Zavala and some of his companions continue in prison closely guarded.

LINES.

Give me a snug little farm, with sufficient learning—a little wife that can *milk the cow*, and rock the cradle—that can sleep at night, and work all day—that can discourse music on the cheerful spinning wheel, and hang your Greek and Latin. The present times are too unnatural and luxurious.

Our ancestors lived on bread and broth,
And woo'd their wives in humspun cloth;
Our mothers nurtured to the nodding reel,
Gave all their daughters *lessons* on the wheel.
Though spinning did not much reduce the waist,
It made the food much sweeter to the taste;
They plied with honest zeal the *mop* and broom,
And drove the shuttle through the noisy loom,
They never once complain'd as we do now,
We have no girl to cook or milk the cow,
Each mother taught *her red cheek'd son & daughter*
To bake, and brew, and draw a pail of water.
No damsel shunn'd the wash tub, broom, or pail
To keep unsullied a long grown finger nail,
They sought no gaudy dress, no wasp like *form*,
But ate to live, and work'd to keep them warm.
No idle youth, no tight lac'd mincing fair,
Became a living corpse for want of air.
No fidgets, fainting, fits, or frightful blues—
No painful corns from wearing Chinese shoes.

Persian Apologue of Sadee.—How beautifully and simply has Sadee depicted the benefit of good society in the following well known apologue—One day as I was in the bath a friend put into my hand a piece of scented clay. I took it and said to it, 'art thou musk or Ambergris, for I am charmed with thy perfume?' It answered, 'I was a despicable piece of clay, but I am sometimes in the company with the rose; the quality of my companion was communicated to me, otherwise I should be only a bit of clay, as I appear to be.'

Illustrious wit.—A lady being at a party with a very high black cap, surrounded with scarlet feathers, an illustrious personage wittily remarked, "that she was like a kitchen chimney on fire."

Tell poets that the shortest and best poem in the world is the following in praise of littleness;

"A little health, a little wealth,
A little house, and freedom;
And at the end a little friend,
And little cause to need him."

SURVEYING.—Being appointed Partition Surveyor, by the *Ayuntamiento of this Municipality, for the* the Surveying land, belonging to individuals, and having business to call me away for a few months, I have appointed my brother GAIL BORDEN, Jr. Deputy Surveyor, who is hereby authorised to do any Surveying that may be required in my absence.

Persons wishing work done, will give ten days notice at the office of the Texas *Gazette.* Cattle will be received in payment.

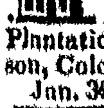
Jan. 30—1t THOS. H. BORDEN.

PUBLIC SALE.

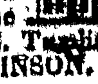
WILL be sold at public sale, at the town of Harrisburg, on Saturday the 13th of February next, (if not disposed of at private sale, previous to that time) the schooner AUGUSTA, as she now lays, in Buffalo Bayou, with her Tackle, aparel, &c. She can be sent to sea at a small expense.—Terms—Payable in cows, horses, or *cash*. Apply to Captain P. Dunn at Harrisburg, or the subscriber, at San Felipe de Austin.

Jan. 30—3 JOSEPH URBAN.

TO RENT,



The Plantation, formerly occupied by James Tumlinson.—ALSO—The Plantation, formerly occupied by Mrs. E. Tumlinson, Colorado.



WM. ROBINSON.

Jan. 30—tf

NOTICE.—The subrcriber having been appointed administrator of the vacant estate of Josiah Porter, deceased,—Notice is hereby given, to to all persons indebted to said estate, to make payment. And all persons having claims against said estate are requested to bring them forward, within the time prescribed by law, or they will be barred.

Jan. 30—3 JAMES KNIGHT.

NOTICE.—All persons indebted to the estate of Peleg Eddy deceased, either by note, or otherwise, are hereby informed that unless they come forward, and settle the claims against them.—Said claims will be put in suit, in a month from this time.

Jan. 23. SAMUEL M. WILLIAMS,
Attorney in fact for the heirs.

NOTICE.—Those who are indebted to Moore and McKinstry, by note or open account, are hereby notified that all claims that are not settled by the 15th of February next, will be put into the hands of the Alcalde for suit.—Said claims, are at present in the hands of the subscriber for collection, where those interested can call. SAMUEL M. WILLIAMS,

Jan. 23. Agent

NOTICE.—The Subscriber respectfully informs his friends, and the Public, that he has lately removed his *SCHOOL*, for its better accommodation, to the Settlement of McNeil, and Westall, in Gulph Prairie. A commodious House, has been erected, very eligibly situated being surrounded by beautiful shades, and but ten miles distant from the Gulph shore, with no timber between to prevent a free circulation of the Sea Breeze, and no stagnant waters near, to render it deleterious to health Scholars wishing to attend from a distance, can be accommodate with board and washing, in a number of respectable families, from six to ten dollars per month. Terms of Tuition.—Reading and Writing, $2, per month; English Grammar, Geography, Rhetoric, History, Composition, Arithmatic, Natural Philosophy, $2,50 cents, per month; Moral Philosophy, Languages, and Mathematics, $4, per month. A strict attention to the interests of the School is faithfully promised, and public patronage humbly solicited by THOMAS J. PILGRIM.

Jan. 15, 1830.—3t.

PERSONS wishing to obtain Certificates of admission in the Colonies I am authorized by Government to settle, as also to transact any other business relative to the perfection of their titles, are informed that during my absence from this place, Mr. S. M. Williams, is authorized by me, to issue Certificates, and attend to all other matters connected with the location of Families.

The Surveyors have general instructions, to survey lands for those who have certificates of reception, as Settlers, and for no others—no attention or respect will be paid to *settlements* made by emigrants who do not report themselves in the manner stated in the notice of 20th November last.

STEPHEN F. AUSTIN.

TO RENT, for the Term of one year, *THE PLANTATION*, belonging to the estate of the late Alexander Jackson, on Peach Creek. For terms apply to James Whitesides, Esq. at Austin, or the subscriber on the San Jacinto.

Jan. 15 [6t] H. JACKSON, Executor